

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS DANIEL LERMA-JARAS, *et al.*,

Defendants.

CASE NO. CR20-0146-JCC

ORDER

This matter comes before the Court on counsel for Defendant Jesus Daniel Lerma-Jaras's motion to continue trial until November 8, 2021 (Dkt. No. 65). Counsel for Mr. Lerma-Jaras reports that he has not consulted with Mr. Lerma-Jaras about the motion but Mr. Lerma-Jaras is likely to object. (*Id.* at 2.) He also reports that the Government does not object. (*Id.*) Mr. Gonzalez-Torres did not respond to the motion. Having thoroughly considered the motion and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

Counsel for Mr. Lerma-Jaras moves to continue the trial because he needs additional time to review discovery, discuss discovery with his client, and prepare for trial. (*See id.* at 2.) This case is related to two others, *United States v. Rodriguez-Moreno*, CR20-0136-JCC, and *United States v. Villasenor*, CR20-0137-JCC, which collectively involve more than 20 defendants and, the Government alleges, multiple conspiracies to distribute controlled substances. *See* Unopposed Motion to Continue Trial at 2, *United States v. Rodriguez-Moreno*, CR20-0136-JCC,

1 Dkt. No. 107 (W.D. Wash. Oct. 16, 2020). The Government’s investigation involved hundreds of
2 hours of surveillance, wiretaps of multiple cell phones, more than a dozen controlled buys, at
3 least ten multi-kilo seizures of controlled substances, and searches of several vehicles,
4 residences, and businesses. (*Id.*) The Government has already produced over 10,000 pages of
5 discovery, much of which is in Spanish, which requires defense counsel to work with
6 interpreters. (*Id.* at 3.) Counsel for Mr. Lerma-Jaras was appointed on February 25, 2021, several
7 months after the cases were filed, and the COVID-19 pandemic has limited ability to meet with
8 Mr. Lerma-Jaras in person. (Dkt. No. 65 at 2.)

9 Trial in the other two cases has already been continued until October 24, 2021 and
10 December 6, 2021. *See United States v. Rodriguez-Moreno*, CR20-0136-JCC, Dkt. No. 112
11 (W.D. Wash. Oct. 16, 2020); *United States v. Villasenor*, CR20-0137-JCC, Dkt. No. 211 (W.D.
12 Wash. May 24, 2021). Having thoroughly considered the briefing and the relevant record, the
13 Court FINDS that the ends of justice served by granting a continuance outweigh the best
14 interests of Defendants and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The
15 reasons for this finding are:

- 16 1. In light of the number of defendants involved, the Government’s allegation of
17 multiple conspiracies, the volume of evidence, and the need for translation, this case
18 is so complex that it is unreasonable to expect adequate preparation for pretrial
19 motions and trial within the current deadlines. *See* 18 U.S.C. § 3161(h)(7)(B)(ii).
- 20 2. Failure to grant a continuance would deny counsel for Mr. Lerma-Jaras the
21 reasonable time necessary for effective preparation, taking into account the exercise
22 of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

23 The Court also holds that the duration of this continuance should be excluded from Mr.
24 Gonzalez-Torres’s Speedy Trial calculation because it is “a reasonable period of delay” within
25 the meaning of 18 U.S.C. § 3161(h)(6).

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1 Accordingly, the Court ORDERS:

- 2 1. The July 12, 2021 jury trial is CONTINUED until November 8, 2021.
- 3 2. The pretrial motions deadline is CONTINUED until October 4, 2021.
- 4 3. The period from the date of this order until November 8, 2021 is an excludable time
- 5 period under 18 U.S.C. § 3161(h)(7)(A) and, with respect to Mr. Gonzalez-Torres,
- 6 under 18 U.S.C. § 3161(h)(6).
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8 DATED this 16th day of June 2021.

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12 John C. Coughenour
13 UNITED STATES DISTRICT JUDGE

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